

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith. The present remarks are being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-28 are pending in this application. Claims 1-3, 25 and 26 are independent. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112.

### **II. REJECTIONS UNDER 35 U.S.C. §102(b) and §102(e)**

Claims 1-9, 11, 12, 14-25 and 28 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,154,206 to Ludtke (hereinafter, merely "Ludtke").

Applicants respectfully submit that Ludtke has a filing date of January 14, 1999 and claims priority to Provisional Application No. 60/084,511, filed on May 6, 1998, which is not before the priority date of the present application. The present application is entitled to the benefit, under 35 U.S.C. §119, of United Kingdom application 9809685.2 filed on May 6, 1998.

Accordingly, Applicants submit that Ludtke is not prior art and thus all of the outstanding rejections based upon Ludtke in the outstanding Office Action are overcome.

Furthermore, although Applicants have asserted that Ludtke is not an effective reference against the present application, such assertion is not a representation concerning distinctions and/or similarities between the present application and Ludtke. Applicants reserve the right to traverse any further rejection that may be presented.

Claims 1-9, 11, 12, 14-25 and 28 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 4,817,143 to Murray (hereinafter, merely "Murray").

Claims 26 and 27 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 5,796,829 to Newby, et al. (hereinafter, merely "Newby").

Claim 1 recites, *inter alia*:

"A conditional access subunit for connection to an IEEE 1394 network, the conditional access subunit including:

**local scrambling means to scramble said transport stream before transmitting said transport stream to one or more other subunits;**" (Emphasis added)

As understood by Applicants, Murray relates to a receiver for the reception of scrambled signals, which are to be subjected to a descrambling process under the control of control words conveyed from a conditional access sub-system coupled to the receiver, the control words being produced in response to data conveyed from the receiver to the sub-system, a fresh control word being required at intervals for performing the descrambling process during a given period.

Applicants respectfully submit that Murray does not teach or suggest the above features of claim 1. Specifically, there is no teaching or suggestion of a conditional access subunit including a local scrambling means to scramble said transport stream before transmitting said transport stream to one or more other subunits, wherein said conditional access subunit is operable to simultaneously descramble a plurality of streams/services, as recited in independent claim 1.

The portion of Murray relied on by the Office Action (column 1, lines 49-68 and column 2, lines 25-51) merely discloses a receiver for the reception of scrambled signals.

Murray does not teach or suggest a local scrambling means to scramble a transport stream before transmitting the transport stream.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 2, 3 and 25 are also believed to be patentable.

Claim 26 recites, *inter alia*:

“A conditional access subunit for connection to an IEEE 1394 network having a tuner subunit, the conditional access subunit having means for periodically contacting the tuner subunit to request the received transport stream for a period of time sufficient to allow the conditional access subunit to update the entitlement management messages stored in the conditional access subunit.” (Emphasis added)

As understood by Applicants, Newby relates to an access control processor for a conditional access system in which encrypted information segments provided by a plurality of information service providers are encrypted for transmission in accordance with different conditional access processes respectively utilizing different algorithms for encrypting the information segments.

Applicants respectfully submit that the cited portion of Newby relied on by the Office Action (column 3, lines 7-26) does not teach or suggest a conditional access subunit for connection to an IEEE 1394 network having a tuner subunit, the conditional access subunit having means for periodically contacting the tuner subunit to request the received transport stream for a period of time sufficient to allow the conditional access subunit to update the entitlement management messages stored in the conditional access subunit, as recited in independent claim 26.

The cited portion of Newby merely discloses that “each conditional access service provider determines only the parameters of the cryptographic design uniquely required to enable

conditional access to the information provided by such conditional access service provider. Only those portions of the conditional access controller that control conditional access parameters that are not common to all of the service providers need be contained in a detachable conditional access module that would be interfaced with the information receiver". The cited portion of Newby does not teach or suggest periodically contacting the tuner subunit to request the received transport stream for a period of time sufficient to allow the conditional access subunit to update the entitlement management messages stored in the conditional access subunit.

Therefore, Applicants submit that independent claim 26 is patentable.

### III. DEPENDENT CLAIMS

The other claims in this application are each dependent on an independent claim discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

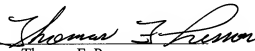
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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